

CITY OF CORVALLIS
COUNCIL POLICY MANUAL

POLICY AREA 7 - COMMUNITY IMPROVEMENTS

CP 03-7.16 Guidelines for Donations of Land and/or Improvements for Parks as an Offset to Systems Development Charges for Parks

Adopted September 2003

Affirmed November 6, 2006

Amended November 2, 2009

Affirmed November 19, 2012

7.16.010 Purpose

To implement Parks System Development Charge Guidelines, as specified in Municipal Code Section 2.08.050.

7.16.020 Policy

An offset against Parks SDC will be considered for a donation of real property that meets all applicable park standards. An offset will also be considered for construction and donation of improvements which provide appropriate neighborhood recreational opportunities pursuant to a community facilities agreement executed by both the owners and the City Manager.

7.16.030 Definitions

Adequate Water Flow for Park Purposes

Park irrigation systems will need approximately 100 gallons per minute at 65 PSI for every ten acres of turf to operate effectively. There shall be adequate water pressure to irrigate all or any portion of the park.

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Appropriate Water Service Level

A defined water service area based on water pressure as identified in the Water Facility Plan.

Community Facilities Agreement

A written agreement between the donor and City which details the items and terms of a donation and amount which will be credited as an offset to a future or existing Parks System Development Charge (SDC).

Community Public Input

Requires notification of residences surrounding the proposed park and notification in the Corvallis Gazette-Times and on the City's Web site of a public meeting of the Parks, Natural Areas and Recreation Advisory Board where the proposal will be discussed prior to the Parks, Natural Areas and Recreation Advisory Board developing a recommendation to accept or reject a donation.

Equivalent Systems Development Charge

The amount a builder or developer would have paid for a Parks Systems Development Charge, and for which they may ask credit for a donation, based on the estimated number of residential bedrooms that they could

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	or will build and which is based on a plan approved by the Community Development Director or the Planning Commission.
Fiscal Impact	<ol style="list-style-type: none">1. The financial impact on the City, which shall take into consideration future maintenance, value of improvements compared to potential park SDC revenues generated by the development.2. The economic impact on persons living and working within the City and entities existing within the City, including but not limited to: tax burden, changes in fees, job creation and deletion, assessed valuation changes and availability of land for specified purposes.
Informal Athletic Fields	Open areas that have a multi-use purpose and are not designed and constructed for a specific sport or purpose.
Small multi-purpose playfields	Developed turf areas that are generally less than 3 acres in size that have been developed to support multiple activities that are appropriate for the size and configuration of the irrigated turf area.
Level	A flat piece of ground or ground that can be made level with minor grading.

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Neighborhood Park Objectives and Guidelines	A neighborhood park is designed to first serve a neighborhood within one-half mile of the park. Improvements shall be designed to meet the needs of a neighborhood and generally include low impact type of improvements, play areas, small picnic facilities, drinking fountains, small multi-purpose playfields, etc.
Neighborhood Park Standards	Parks which range from 3 to 20 acres in size and which serve a neighborhood within one-half mile radius of a park.
Open Play	An area of land free from obstacles which will permit field games and activities, such as soccer, frisbee, and football, etc.
Parks Systems Development Charge (SDC)	Means a reimbursement fee, an improvement fee, or a combination thereof, assessed or collected at the time of the issuance of a development permit or building permit, or at the time of connection to a capital improvement.
Recreational Facilities	Improvements within a park. Examples are described under Section 7.16.050 of this policy.
Site Plan	A scale drawing with sufficient detail to show the boundaries of the property, areas to be irrigated, access to the park, location of natural features, recreation facilities to be installed or constructed and a listing of items which are to be donated.

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Suitable for Development

Land that can accommodate improved playfields and recreational facilities and which can be built or installed without extra expense because of the natural features of the land, e.g. wetland areas.

Trails

A network of paths, which may be improved or unimproved, which connect parks to other parks or residential, commercial, or other public areas.

Unique or Critical Resource

Includes, but is not limited to, natural features such as hills, vistas, waterways, and groves of trees.

7.16.040 Guidelines

7.16.041 Donations for Public Sites and Open Spaces

Any developer or owner of a development and/or residential subdivision may, at any time or as part of the final plat process, offer to donate land for a park, in lieu of a SDC for Parks. This opportunity shall apply to newly platted areas as well as areas that are being re-platted. Prior to approval of a preliminary plat or plan proposing the donation of land, a review will be required for compliance with standards by the Parks and Recreation Director and the Community Development Director and reviewed by the Parks, Natural Areas and Recreation Advisory Board to make a recommendation on the acceptance of the proposed donation. Final determinations as to donation of land, including location thereof and other specified qualifications or characteristics in lieu of a Parks Systems Development Charge, shall be made by the City Manager as approved by the City Council.

Offsets will not be given for private facilities or improvements made to private property. The developer is not obligated to make a donation and the City is not obligated to accept one.

Land areas proposed for donation shall be shown on the preliminary plat or plans for consideration by the City as part of the review and approval

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process. Dimensions, location, and topographic features of the proposed real property shall be shown on the plat or plan to permit a thorough review and determination of the flexibility and usability of the property.

The donation of land for public use shall be conveyed by the subdivider in fee absolute title by warranty deed to the City of Corvallis. A permanent easement for a trail is also acceptable. Such land shall be free of liens, special assessments and other encumbrances and shall have all taxes paid up to and including the year of donation. The location of the property boundaries of such land shall be marked with permanent monuments, by the sub-divider.

- a. Land donations should be approximately five (5) acres or more. The following may be exemptions to this standard:
 - 1) The land adjoins an existing park and an addition to the park will enhance the neighborhood park and recreational opportunities in the area, or
 - 2) The land has been identified as a link to land that has been proposed as a park, which has been offered but not yet accepted or which has been identified in the current adopted Master Plan, or 2000 Park and Recreation Facilities Plan.
 - 3) The land will provide a unique resource that will enhance neighborhood recreational opportunities, or
 - 4) There is a joint donation of land by others which will result in a single or combined parcel(s) of land totaling approximately five (5) acres or more, or
 - 5) The current adopted Master Plan identifies a need for parks less than or more than five (5) acres.
 - 6) The land would serve an area not currently served by a park within the standard radius of neighborhood parks, as specified in the current adopted Master Plan.
- b. Trails. Donation of land or a public access easement for extra capacity trail improvements will be considered for Park SDC credits providing that all the following conditions, Items 1-5, are met:
 - 1) A SDC credit may be considered for the donation of land or

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easement where the trail improvements will provide extra capacity beyond those improvements that would be required as a result of the impact of the local improvement;

- 2) The donation is consistent with the currently adopted Trails Master Plan and the current adopted Master Plan;
 - 3) The trail will serve not only the neighborhood, but is part of an existing or planned connecting link between neighborhoods and/or parks;
 - 4) The extra capacity elements of the trail improvements are not credited for more than 50% of the neighborhood park requirements; and
 - 5) The trail is greater than eight feet in width; and/or the trail is not found by City staff to have a nexus and rough proportionality to a development.
- c. Land donations must be centrally located within the area served by the development except where:
- 1) More desirable natural resources or site characteristics are located elsewhere or;
 - 2) The park can be located next to a proposed or existing school site or;
 - 3) The park can be combined with proposed or existing parkland to serve neighborhood park needs. If two or more property owners propose a joint donation, the applicant shall enter into an agreement with adjoining landowners and present a schematic plan proposing joint donation.
- d. Donated parkland should be easily identifiable with maximum exposure and access throughout the neighborhood. Adequate access to the park must be available from residential streets to accommodate maintenance and, where appropriate, provide on street parking.
- e. At least 50% of the donated park site should be level, well-drained and suitable for development and/or open play.

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- f. The developer is required to provide access to a water main of sufficient size and connected to the appropriate water service level to provide adequate water flow for park purposes.
- g. A proposal to donate land for a park with overhead utilities and/or easements or rights-of-way with significant deed restrictions may not be suitable or acceptable for a neighborhood park.
- h. Any area or part of an area, to be donated as an offset to the Parks Systems Development Charge, which was disturbed prior to or during any phase of development, must be restored, unless there was a prior agreement, in accordance with terms specified by the City Manager.
- i. Floodway areas, as defined by the City of Corvallis, will not be eligible for offset against Parks Systems Development Charge.
- j. Floodplain donations generally have a lower value but are eligible provided they are suitable for neighborhood recreational development and meet other appropriate neighborhood standards and criteria. Floodplain land donations shall only be accepted if there is minimal alteration of the natural waterway and floodplain area or there has been complete restoration as defined by the City Engineer.
- k. The offset value of real property donations shall be determined through negotiation. If the City and developer cannot agree on a fair price/cost, the value shall be determined by an MAI appraiser, selected by both parties who shall equally share in the cost of the appraisal. The City and developer may agree to select and pay for individual appraisers with the value of the property being determined by the average per acre cost of the property being appraised. The offset shall not exceed the amount of the Systems Development Charge fees for parks that would have been paid by the developer unless otherwise agreed. The City's cost for the appraisal may be financed from Systems Development Charge funds currently held on account.
- l. An environmental audit, acceptable to the City, will be required to be submitted and paid for by the donor prior to acceptance of the real property by the City.

7.16.050 Neighborhood Park Improvements

- a. Where parkland is available and undeveloped or has been donated,

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neighborhood recreational facilities may be developed and the costs offset against Parks Systems Development Charges, provided they are approved in a community facilities agreement by the City Manager.

- b. Improvements to be considered as offsets in a community facilities agreement must be included in a site plan which is reviewed and approved first by the Parks and Recreation Director and Community Development Director or designee for compliance with all applicable standards and regulations. It must then be reviewed and approved by the Parks, Natural Areas and Recreation Advisory Board and finally approved by the City Manager.
- c. A community facilities agreement will include details related to site plans, design, materials, equipment and methods of construction, project construction oversight, City approval process of construction materials, City approval process for Park SDC credit requests, and cost estimates of site amenities. The agreement will also provide the City with proper warranties, assurances, and indemnifications.
- d. Improvements proposed in a community facilities agreement may include one or more of the following typical neighborhood park improvements. The City Manager may accept or reject any improvements proposed which are not needed or deemed necessary at the site. This list is not inclusive and a developer is encouraged to use their creativity in offering suggestions for improvements. Improvements shall be made in conjunction with the construction of the public improvements for the subdivision.
 - 1) Playgrounds and equipment
 - 2) Informal athletic fields
 - 3) Volleyball courts
 - 4) Basketball courts
 - 5) Picnic areas and shelters
 - 6) Multi-purpose trails and park walkways
 - 7) Benches
 - 8) Restrooms
 - 9) Tennis courts
 - 10) Parking lots
 - 11) Drinking fountains
 - 12) Security lighting
 - 13) Landscaping and irrigation

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- 14) Developer shall be required to provide half-street local equivalent for the street frontage or infrastructure improvements contiguous to the park. These improvements are not eligible for Park SDC reimbursement. Developer may be eligible for other fund SDC reimbursement for construction of extra capacity street/infrastructure improvements.
- e. Facilities proposed in a community facilities agreement must conform to the neighborhood park objectives, guidelines and standards of the current adopted Master Plan. Community input is required for the planning and design of neighborhood parks. In the absence of such input, a community facilities agreement may be delayed until public input can be obtained. To achieve this objective, the review process shall be within the time frame for a subdivision or planned development review process, generally no longer than 120 days from initiation by the developer. The Parks, Natural Areas and Recreation Advisory Board will advertise and solicit public input at a public meeting before development of a recommendation for the City Manager.
- f. The value of the offset for development of neighborhood park facilities approved in a community facilities agreement will be determined by the City Manager, or designee based upon average costs incurred for providing the same service, bids, or actual construction costs, not to exceed the value that would have been paid by the developer for Parks Systems Development Charge, unless otherwise agreed.
- g. To determine the equivalent Parks System Development Charge for a development which is requesting an offset, the Development Services Division will calculate the estimated revenue for Parks Systems Development Charge, based on developer's proposal and approval by the City of a plan for the development.

7.16.060 Proposals Which Do Not Meet Guidelines

For any proposals which do not meet the standards and/or guidelines of this document, the burden of proof shall be on the applicant to demonstrate to the Parks and Recreation Director and the Parks, Natural Areas and Recreation Advisory Board that the proposal will result in neighborhood park and recreation opportunities as good or better than required by these guidelines. Recommendations of the Parks, Natural Areas and Recreation Advisory Board can be appealed to the City Manager.

7.16.070 Roles and Responsibilities

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- a. City Manager The City Manager or his/her designee shall be responsible for making the final decision concerning the appropriateness and/or acceptance of an offer of land and/or improvements to be donated by a developer as an offset to the Parks Systems Development Charge.
- b. Parks and Recreation Director The Parks and Recreation Director shall be responsible for negotiating terms of a donation, ensure that any proposal is within the established guidelines and develop a fiscal impact statement.
- c. Finance Director The Finance Director shall review all agreements and make an assessment as to the Park and Recreation Director's analysis of the fiscal impact of any proposal on the City.
- d. Community Development Director The Community Development Director shall review all proposals and agreements for consistency with the Building Code and land use regulations.
- e. City Recorder The City Recorder shall be responsible for ensuring that all agreements are appropriately executed and recorded.
- f. City Attorney The City Attorney shall review and approve all agreements or contracts as to form and content.

7.16.080 Responsibility for Review

The Parks and Recreation Director will review this policy every three years, or when needed, and will make recommendations to the City Manager.